

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 7:14-CR-12-BO-1  
NO. 7:15-CV-183-BO

JOSHUA ORLANDO BERNARD,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

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ORDER

This matter is before the Court on a joint motion by petitioner and respondent to correct petitioner's sentence pursuant to 28 U.S.C. § 2255. [DE 73]. The joint motion is GRANTED.

For the reasons offered in the joint motion, petitioner's request to amend his previously filed motion to vacate pursuant to 28 U.S.C. § 2255 [DE 56] is allowed. Petitioner's sole alleged claim for relief is for the ineffective assistance of counsel at sentencing. Further, as the parties agree that counsel was ineffective and that petitioner was prejudiced thereby, *see Strickland v. Washington*, 466 U.S. 668, 687-96 (1984), petitioner's amended motion to vacate is hereby GRANTED. Petitioner's sentence is hereby CORRECTED to reflect a term of four (4) years of supervised release at the completion of his active sentence. The clerk is DIRECTED to amend the criminal judgment and to close the § 2255 file.

SO ORDERED, this 22 day of February, 2017.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE